

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Lisa McAllister and Brandon Summers,

Plaintiffs
v.

Clark County, Nevada,

Defendant

Case No.: 2:24-cv-00334-JAD-NJK

**Order Granting Motion for Leave to File
Amicus Curiae Brief**

[ECF No. 11]

Plaintiffs Lisa McAllister and Brandon Summers sue Clark County, Nevada, over a new regulation that prevents people from stopping or standing on pedestrian bridges crossing the Las Vegas Strip, contending that the ordinance violates the Americans with Disabilities Act (ADA), is unconstitutionally vague, and offends the First Amendment’s free-speech protections.¹ They move for a temporary-restraining order and preliminary injunction to halt enforcement of the ordinance until this case is resolved.² For its part, Clark County moves to dismiss the case, arguing that the ordinance withstands constitutional scrutiny and doesn’t violate the ADA.³

The Nevada Resorts Association now moves to file an amicus curiae brief “in support of Clark County.”⁴ Plaintiffs don’t oppose, but they “request clarification regarding what filing by [Clark County] the brief is in support of and an opportunity to respond to the proposed . . . brief if [they] deem it necessary.”⁵ I construe the proposed amicus brief as supporting Clark County’s opposition to plaintiffs’ TRO and PI motions—doing so best preserves the Association’s

¹ ECF No. 1.

² ECF No. 4; ECF No. 5.

³ ECF No. 9.

⁴ ECF No. 11 at 2 (cleaned up).

⁵ ECF No. 16.

1 immediate concerns with this lawsuit and prevents evidence external to the complaint from
2 permeating the motion-to-dismiss proceedings. With that limitation, I grant the Association's
3 motion for leave to file its amicus brief and give plaintiffs ten days to respond to that amicus
4 brief.

5 **Conclusion**

6 IT IS THEREFORE ORDERED that Nevada Resort Association's motion for leave to
7 file an amicus curiae brief, construed as a brief in opposition to the plaintiffs' motions for a
8 temporary-restraining order and preliminary injunction, **[ECF No. 11] is GRANTED. The**
9 **Clerk of Court is directed to detach pages 9–52 of ECF No. 11 and docket that document**
10 **separately as a Brief of Amicus Curiae.**

11 IT IS FURTHER ORDERED that **plaintiffs have until Monday, April 21, 2024, to file**
12 **a response to the amicus brief.** Replies will not be permitted.

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U.S. District Judge Jennifer A. Dorsey
April 10, 2024